



Office of the Attorney General  
State of Texas

DAN MORALES  
ATTORNEY GENERAL

December 19, 1995

Mr. Herbert L. Prouty  
General Counsel  
El Paso Water Utilities  
Public Service Board  
P.O. Box 511  
El Paso, Texas 79961-0001

OR95-1464

Dear Mr. Prouty:

You ask whether certain information is subject to required public disclosure under the Texas Open Records Act, chapter 552 of the Government Code. Your request was assigned ID# 31122.

You sought an open records decision from this office pursuant to section 552.305 of the Government Code. Consequently, this office notified representatives of PeopleSoft that we received your request for an open records decision regarding their proposal. In our letter to PeopleSoft, this office requested an explanation as to why portions of its proposal were excepted from public disclosure, with the caveat that its failure to provide such an explanation within a reasonable time would result in this office instructing you to disclose the information.

More than a reasonable amount of time has elapsed since this office issued the notice, but PeopleSoft has failed to provide this office with any explanation as to why the requested documents should not be released. Consequently, we have no basis for applying any exceptions to required public disclosure to this information. *See* Open Records Decision No. 552 (1990). Because neither you nor PeopleSoft have contended to this office that the requested information should be withheld, you should release the information at this time. If you have any questions regarding this letter, please contact our office.

Yours very truly,

A handwritten signature in cursive script, reading "Loretta R. DeHay", is positioned above the typed name and title.

Loretta R. DeHay  
Assistant Attorney General  
Open Records Division

LRD/RWP/rho

Ref.: ID# 31122

Enclosure: Copy of PeopleSoft proposal

cc: Mr. Ben J. Rosenberg  
Account Executive  
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(w/o enclosure)

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Licensing Coordinator  
PeopleSoft  
P.O. Box 8776  
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(w/o enclosure)